THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA Plaintiff, vs. 7.27 ACRES OF LAND, MORE OR LESS, SITUATE IN IMPERIAL COUNTY, STATE OF CALIFORNIA; AND JIM C. DOYLE AND OPAL M. DOYLE, ET AL. Defendants	DECLARATION OF TAKING CIVIL NO. '08 CV 1010 H RBB

I, Eugene Schied, Assistant Commissioner, Office of Finance, Department of Homeland Security, U.S. Customs and Border Protection, under the authority delegated to me by the Act of Congress approved November 25, 2002, as Public Law 107-296, 116 Stat. 2311 and codified at 6 U.S.C. Sections 202, 251, 551, and 557, which transferred certain authorities of the Attorney General to the Secretary of Homeland Security; and by DHS Delegation No. 7010.3(II)(B), which delegated land acquisition authority from the Secretary of Homeland Security to the Commissioner of U.S. Customs and Border Protection; and by CBP Delegation 05-006, which delegated land acquisition authority to the Assistant Commissioner of Office of Finance , do hereby make the following declaration:

1. The property is hereby taken under and in accordance with the authorities set forth in Schedule "A" attached hereto and made a part hereof.

2. The public purpose for which said property is taken is set forth in Schedule "B" attached hereto and made a part hereof. The said land has been selected under my direction for acquisition by the United States for the above-referenced project in Cameron County, State of Texas.

3. A general description of the land being taken is set forth in Schedule "C" attached hereto and made a part hereof.

4. A plan showing the property being taken is shown on Schedule "D" attached hereto and made a part hereof.

5. The estate taken is described on Schedule "E" attached hereto and made a part hereof.

6. The sum estimated by the undersigned as just compensation for the land being taken is set forth in Schedule "F" attached hereto and made a part hereof. The undersigned is of the opinion that the ultimate award for said land probably will be within any limits prescribed by law to be paid therefor.

7. The names and addresses of known parties having or claiming an interest in said property are set forth in Schedule "G" attached hereto and made a part hereof.

8. The United States made best efforts to negotiate purchase of the property interest sought prior to filing this condemnation action.

IN WITNESS WHEREOF, the undersigned, Assistant Commissioner, Office of Finance , Department of Homeland Security, U.S. Customs and Border Protection, hereunto subscribes his name by direction of the Secretary of the Department of Homeland Security, this 2 day of May, 2008 in the City of Washington, District of Columbia.

Eugene Schied

Acting Assistant Commissioner,

Office of Finance

Department of Homeland Security

U.S. Customs and Border Protection

SCHEDULE "A"
AUTHORITY FOR THE TAKING

The property is taken under and in accordance with the Act of Congress approved on February 26, 1931, as 46 Stat. 1421 and codified at 40 U.S.C. Section 3114, and the Act of Congress approved August 1, 1888, as 25 Stat. 357 and codified at 40 U.S.C. Section 3113, and any acts supplementary thereto and amendatory thereof; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, Stat. 3009-546, 3009-554, as amended and codified at 8 U.S.C. Section 1103(b) & note; and the Act of Congress approved October 4, 2006, as Public Law 109-295, Title II, 120 Stat. 1355, which appropriated the funds which shall be used for the taking.

SCHEDULE "B"
PUBLIC PURPOSE

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, and related structures designed to help secure the United States/Mexico border within the State of California.

SCHEDULE "C"
LEGAL DESCRIPTION

Tract Number ELC-CAX-2007

The south sixty (60) feet of that part of Tract 41 lying within Township 17 South, Range 16 East, Section 15, Imperial County, California,

together with,

The south sixty (60) feet of that part of Tract 41 lying within Township 17 South, Range 16 East, Section 14, Imperial County, California.

Containing 7.27 acres, more or less.

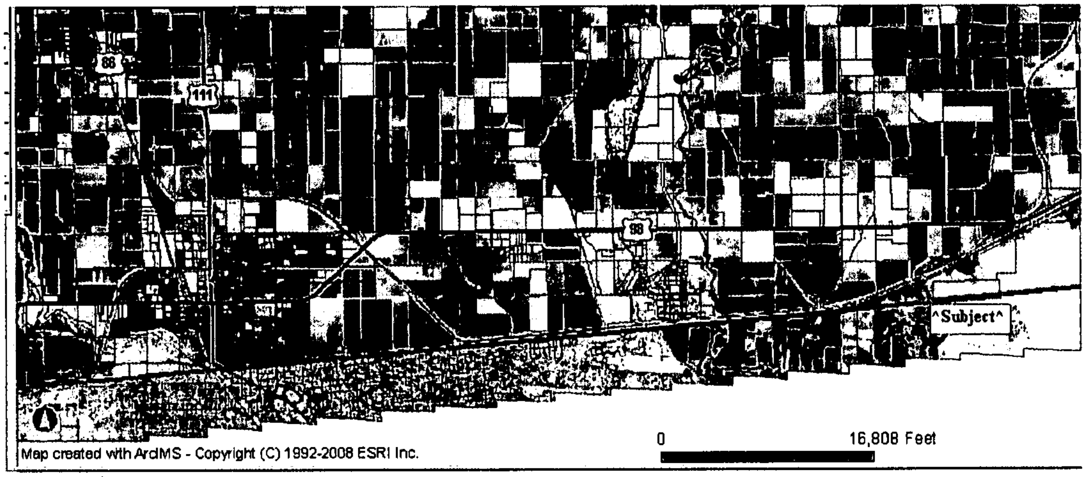
SCHEDULE "D"

TRACT NUMBER: ELC-CAX-1009

Located in County of Imperial, State of California,T17S, R16E, Section 15, SBM

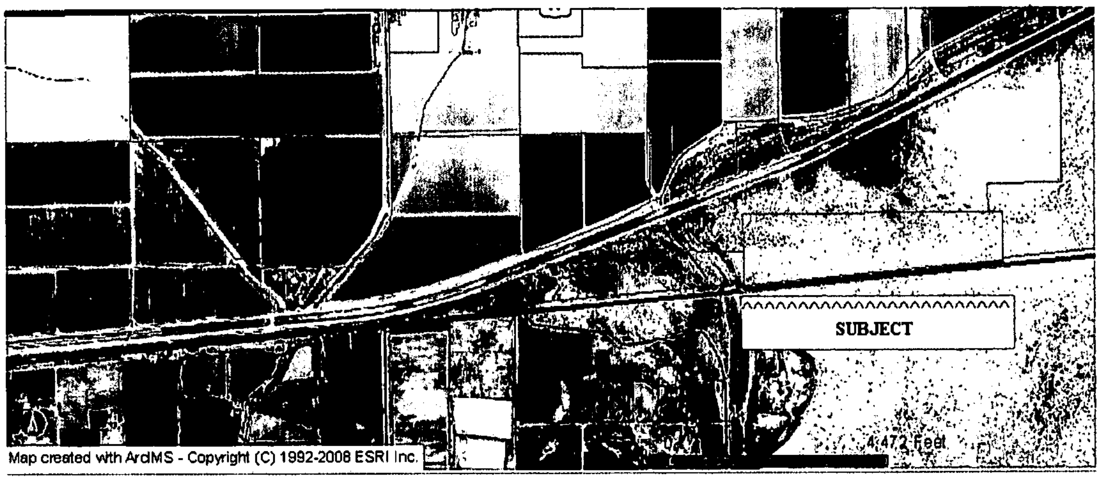
Vicinity Map-

Legend: red line is subject property


88
111
86
^Subject^
0
16,808 Feet
Map created with ArcIMS - Copyright (C) 1992-2008 ESRI Inc.

Parcel Map

Legend: red line is subject property


SUBJECT
4,472 Feet
Map created with ArcIMS - Copyright (C) 1992-2008 ESRI Inc.

SCHEDULE "E"

ESTATE TAKEN

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads and pipelines; excepting and excluding all interests in minerals and the rights appurtenant thereto which are outstanding in parties other than the surface owners.

SCHEDULE "F"
ESTIMATE OF JUST COMPENSATION

The sum estimated as just compensation for the land being taken is FIFTEEN THOUSAND, EIGHT HUNDRED THIRTY-FOUR DOLLARS AND NO/100 ($15,834.00), to be deposited herewith in the registry of said Court for the use and benefit of the persons entitled thereto.

SCHEDULE "G"
NAMES AND ADDRESSES OF INTERESTED PARTIES

James C. Doyle and Opal M. Doyle
2010 Main Street
El Centro, California 92243

Imperial County Tax Collector
940 West Main Street, Suite 106
El Centro, California 92243

Imperial Irrigation District
c/o Real Estate Department
333 E. Barioni Blvd.
P.O. Box 937
Imperial, CA 92251